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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Jun 04, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JEREMY T.<sup>1</sup>

Plaintiff,

v.

ANDREW M. SAUL, Commissioner of  
Social Security,

Defendant.

No. 4:19-CV-05272-EFS

**ORDER GRANTING THE PARTIES'  
STIPULATED MOTION FOR  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C. §  
405(g)**

On June 1, 2020, the parties filed a Stipulated Motion for Remand. ECF No. 19. The parties agree that the matter should be reversed and remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings before an administrative law judge (ALJ) for a de novo hearing and a new decision as to Plaintiff Jeremy T.'s application for supplemental security income payments under Title XVI of the Social Security Act. As part of this de novo hearing on remand, the ALJ is to obtain evidence from

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<sup>1</sup> To protect the privacy of the social-security Plaintiff, the Court refers to him by first name and last initial or by "Plaintiff." *See* LCivR 5.2(c).

1 a medical expert regarding Plaintiff's established onset date; reevaluate Plaintiff's  
2 mental impairments under the relevant listings at step three; reevaluate  
3 Plaintiff's residual functional capacity assessment; and if necessary,  
4 seek supplemental vocational expert evidence to determine whether Plaintiff is  
5 capable of performing past relevant work and/or whether there are significant  
6 number of jobs in the national economy that Plaintiff can perform. The parties  
7 also agree that Plaintiff is entitled to reasonable attorney fees and costs under the  
8 Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request to the Court.

9  
10 Consistent with the parties' agreement, **IT IS HEREBY ORDERED:**

11 1. The parties' Stipulated Motion for Remand, **ECF No. 19**, is

12 **GRANTED.**

13 2. Judgment shall be entered for **Plaintiff**.

14 3. This matter is **REVERSED** and **REMANDED** to the Commissioner  
15 of Social Security for further administrative proceedings pursuant to  
16 sentence four of 42 U.S.C. § 405(g). On remand, the ALJ is to conduct  
17 a de novo hearing, including obtaining evidence from a medical  
18 expert regarding Plaintiff's established onset date; reevaluating  
19 Plaintiff's mental impairments under the relevant listings at step  
20 three; reevaluating Plaintiff's residual functional capacity  
21 assessment; if necessary, seek supplemental vocational expert  
22 evidence to determine whether Plaintiff is capable of performing past  
23 relevant work and/or whether there are significant number of jobs in  
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1 the national economy that Plaintiff can perform; and issue a new  
2 decision for the period at issue prior to Plaintiff's established onset  
3 date of October 26, 2017.

4 4. All pending motions are **DENIED AS MOOT**.  
5 5. All hearings and other deadlines are **STRICKEN**.  
6 6. If filed, the Court will consider Plaintiff's motion for fees and  
7 expenses under the Equal Access to Justice Act.  
8 7. The Clerk's Office is directed to **CLOSE** this file.

9  
10 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order  
11 and provide copies to all counsel.

12 **DATED** this 4<sup>th</sup> day of June 2020.

13  
14 s/Edward F. Shea  
15 EDWARD F. SHEA  
16 Senior United States District Judge  
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